(19)

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 4181 of 2007

PETITIONER : Hemkaran Thakur, Aged about 43 years, S/o Shri Puran Singh Thakur, Village – Kumhli, Janpad Panchayat – Lohandiguda, Distt. – Bastar Jagdalpur (C.G.)

VERSUS

RESPONDENTS

1. State of Chhattisgarh, Through – Additional Collector, Officer of the Collector (Panchayat Branch)
2. Chief Executive Officer, Janpad Panchayat – Lohandiguda, Distt. Bastar Jagdalpur (C.G.)

Writ Petition under Article 226 of the Constitution of India

Single Bench : Hon'ble Justice Shri Satish K. Agnihotri.

Present: Shri B.K. Chakrabarty, counsel for the petitioner.
Smt. Anju Ahuja, Deputy Govt. Advocate for the State.

ORDER
(Passed on 19th day of July, 2007)

The petitioner is aggrieved by the order dated 18-02-2002 (Annexure P-1) passed by the Additional Collector (Panchayat Branch) Distt. Bastar, Jagdalpur, whereby the financial powers of the petitioner in respect of the post of Panchayat Secretary (Panchayat Karmi), Village Panchayat – Kumhli, Janpad Panchayat Lohandiguda, District – Baster have been withdrawn.

(2) Learned counsel appearing for the petitioner submits that after passing of the order dated 18.2.2002 (Annexure P/1), the Collector, Bastar by letter dated 05-09-2002 (Annexure P/2) directed the Sarpanch Gram Panchayat, Kumhli, Janpad Panchayat, Lohandiguda, to call for a meeting of Gram Sabha to consider the case

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of the petitioner for continuing him as a Panchayat Karmi. After having considered his case, the Sarpanch Gram Panchayat, Kumhli, Janpad Panchayat, Lohandiguda, by letter dated 21-04-2003 (Annexure P-3) has recommended to the Chief Executive Officer, Janpad Panchayat, Lohandiguda, District Bastar, Jagdalpur to cancel the earlier order and to permit the petitioner to work as a Panchayat Secretary.

(3) I am at a loss to understand the grievance of the petitioner. This petition is misconceived and deserves to be dismissed. There is no merit in the case the petitioner has got the relief on the basis of the recommendation made by the Sarpanch, Gram Panchayat Kumhli. The Sarpanch has already recommended to the Chief Executive Officer, Janpad Panchayat to cancel the earlier order dated 18.02.2002 (Annexure P-1) and allow the petitioner to continue as a Panchayat Secretary.

(4) In view of the above, this petition is unnecessary and is dismissed accordingly.

Sd/-
Satish K. Agnihotri
Judge

Karuna